

REMARKS

Claims 1-62 are all the claims pending in the Application.

Applicant acknowledges with appreciation that the previously submitted IDS has been considered by the Examiner, and that the drawings have been approved.

Figure Cover Sheet

As a preliminary matter, should the Examiner deem the claims of the present application to be allowable, Applicant respectfully requests that Figure 10 be used as the figure for the cover sheet on the issued patent. The Examiner is invited to telephone the undersigned to discuss alternative figures should it be necessary.

Supplemental Declaration

In another preliminary matter, Applicant submits herewith a Supplemental Declaration that reflects an updated mailing address of the sole inventor of the present application. Applicant requests that the official USPTO records be updated with the new mailing address identified in the declaration.

Objections and Rejections

The specification has been objected to based on an informality. The Examiner requests that that the status of parent application Ser. No. 09/512,775 be updated to reflect the issuance of that application as U.S. patent 6,687,418. The forgoing amendment to the specification is believed to be fully responsive to this objection.

Claims 44, 49-50, 55, and 60-61 stand rejected under 35 U.S.C. §112, second paragraph, as reciting a claim limitation which lacks insufficient antecedent basis. Specifically, the identified

claims recite a “trial” term to refer to either the “power value” element or the “fractional Fourier transform correction operation” element. The forgoing amendments to these claims are believed to be fully responsive to these rejections. Applicant notes that the scope of these claims remains unchanged, and that these claim amendments correct an obvious error which would be readily apparent to one of ordinary skill in the art. Accordingly, Applicant respectfully requests that the rejections to the identified claims be withdrawn.

Comments on Statement of Reasons for the Indication of Allowable Subject Matter

Applicant gratefully acknowledge the Examiner’s indication that claims 1-43, 45-48, 51-54, 56-59, and 62 have been allowed. However, Applicant has the following brief comments concerning the Examiner’s Statement.

Applicant noted that the allowed claims are directed to method and apparatus claims. To the extent that the Examiner’s Statement might be construed as implying that the apparatus could only be practiced using a method with the characteristics set forth in the Statement, Applicant would respectfully disagree. Each claim stands on its own; attributes of apparatus claims should not be imputed to method claims, and vice versa. Applicant further notes that the Examiner’s Statement presents the claimed invention in terms which are neither reproduced, *verbatim*, from the claims, nor consistent with the language cited in the claims. Applicant respectfully submits that the claims are patentable for, and should be construed in accordance with, their respective recitation. To the extent that the language employed in the Examiner’s Statement is not a direct quotation from the claims, Applicant submits that the Statement should not be construed in any limiting sense with respect to the scope of the terms used in the claims themselves.

Lastly, Applicant has reviewed the cited but not applied patents identified on page 3 of the Action. They are interesting and appear to be generally related technology, but there is nothing of sufficient relevance to require detailed discussion.

CONCLUSION

Applicant believes that the Examiner's rejections have been overcome and submits that the subject application is in condition for allowance. Should any issues remain unresolved, the Examiner is invited to telephone the undersigned attorney.

The Commissioner is hereby authorized to charge any fees that arise in connection with this filing which are not covered by the money enclosed, or credit any overpayment, to Deposit Account No. 02-0460.

Respectfully submitted,

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